

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: )  
Geoffrey Seymour, et al. ) : Examiner: NYA  
Application No.: 10/597,800 ) : Group Art No.: NYA  
International Filing Date: ) : Confirmation No.: 6499  
February 9, 2005 )  
For: A DISPENSING NOZZLE AND CAP : June 8, 2007

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**RESPONSE TO NOTIFICATION OF MISSING  
REQUIREMENTS UNDER 35 U.S.C § 371**

Sir:

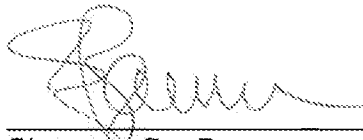
In response to the Notification of Missing Requirements Under 35 U.S.C. § 371 mailed April 11, 2007, Applicants enclose an executed Combined Declaration and Power of Attorney document.

The Commissioner is authorized to charge Deposit Account No. 01-1250 the sum of \$2430.00 under 37 C.F.R § 1.17(b). This sum covers the \$130.00 surcharge for late submission of the Declaration, \$400.00 for the outstanding application search fee, \$200.00 for the outstanding application examination fee and \$1700.00 for 34 total claims over 20.

The Commissioner is also hereby authorized to charge any additional fees which may be due in connection with this submission or any over payment of same, to Deposit Account No. 01-1250.

Applicants' undersigned attorney may be reached by telephone at (860) 571-5001, by facsimile at (860) 571-5028 or by e-mail at [steve.bauman@us.henkel.com](mailto:steve.bauman@us.henkel.com). All correspondence should be directed to the address given below.

Respectfully submitted,

A handwritten signature in dark ink, appearing to read 'Bauman', is written over a horizontal line.

Steven C. Bauman  
Attorney for Applicants  
Registration No. 33,832

HENKEL CORPORATION  
Legal Department  
1001 Trout Brook Crossing  
Rocky Hill, CT 06067  
Customer No. 31217

PATENT Attorney Docket No.: ICC-297/US

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**COMBINED DECLARATION AND POWER OF ATTORNEY**

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(ORIGINAL, DESIGN, NATIONAL STAGE OF PCT, SUPPLEMENTAL, DIVISIONAL, CONTINUATION OR CIP)

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As ~~s~~ below named inventor, I hereby declare that:

**TYPE OF DECLARATION**

This declaration is of the following type:

- ☐ original
- ☐ design
- ☐ supplemental
- ☒ national stage of PCT
- ☐ divisional
- ☐ continuation
- ☐ continuation-in-part (CIP)

**INVENTORSHIP IDENTIFICATION**

My residence, post office address and citizenship are as stated below next to my name, I believe I am the original, first and sole inventor (*if only one name is listed below*) or an original, first and joint inventor (*if plural names are listed below*) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

**TITLE OF INVENTION**

**CAP, NOZZLE AND CONTAINER**

**SPECIFICATION IDENTIFICATION**

the specification of which:

- (a) ☐ is filed concurrently herewith.
- (b) ☒ was filed in the U.S. Patent and Trademark Office on August 8, 2006 as Application No. 10/597,800 or Express Mail Mailing Label No. , as Application No. not yet known, and was amended on \_\_\_\_\_ (*if applicable*).
- (c) ☐ was described and claimed in PCT International Application No. filed on \_\_\_\_\_ and as amended under PCT Article 19 on (*if any*).

**ACKNOWLEDGMENT OF REVIEW OF PAPERS AND DUTY OF CANDOR**

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the patentability of this application in accordance with Title 37, Code of Federal Regulations § 1.56(a).

**PRIORITY CLAIM**

I hereby claim foreign priority benefits under Title 35, United States Code, § 119(a)-(d) of any foreign application(s) for patent or inventor's certificate, § 119(e) of any United States provisional application, or § 365(b) of any PCT international application(s) designating at least one country other than the United States of America listed below and have also identified below any foreign application(s) for patent or inventor's certificate or any PCT international application(s) designating at least one country other than the United States of America filed by me on the same subject matter having a filing date before that of the application(s) of which priority is claimed.

(d) ☐ no such applications have been filed.

(e) ☒ such applications have been filed as follows:

**EARLIEST FOREIGN APPLICATION(S), IF ANY, FILED WITHIN 12 MONTHS  
(6 MONTHS FOR DESIGN) PRIOR TO THIS U.S. APPLICATION**

COUNTRY	APPLICATION NUMBER	DATE OF FILING (day, month, year)	PRIORITY CLAIMED UNDER 35 USC 119
IE	2004/0047	09 February 2004	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
			<input type="checkbox"/> Yes <input type="checkbox"/> No
			<input type="checkbox"/> Yes <input type="checkbox"/> No
			<input type="checkbox"/> Yes <input type="checkbox"/> No

I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s), or § 365 (c) of any PCT International application designating the United States of America, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of Title 35, United States Code, § 112.

(f) ☐ no such applications have been filed.

(g) ☒ such applications have been filed as follows:

APPLICATION NUMBER	DATE OF FILING (day, month, year)	PRIORITY CLAIMED UNDER 35 USC 120
PCT/IE2005/000010	09 February 2005	<input type="checkbox"/> Yes <input type="checkbox"/> No
		<input type="checkbox"/> Yes <input type="checkbox"/> No
		<input type="checkbox"/> Yes <input type="checkbox"/> No

**POWER OF ATTORNEY**

As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) at Customer No. 31217 to prosecute this application and transact all business in the Patent and Trademark Office connected therewith:

Steven C. Bauman  
Reg. No. 33,832  
HENKEL CORPORATION  
1001 Trout Brook Crossing  
Rocky Hill, Connecticut 06067 USA

**SEND CORRESPONDENCE TO:**

**DIRECT TELEPHONE CALLS TO:**

[http://docs.google.com/View?docID=dc2nbzrs\\_50dzbc39&revision=\\_latest&spi=1&hgd=1](http://docs.google.com/View?docID=dc2nbzrs_50dzbc39&revision=_latest&spi=1&hgd=1)

4/30/2007

	<i>(name and telephone number)</i>
HENKEL CORPORATION Legal Department 1001 Trout Brook Crossing Rocky Hill, Connecticut 06067	Steven C. Bauman  (860) 571-5001

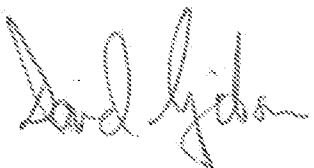
**DECLARATION**

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

**SIGNATURES**Full name of ~~sole~~first inventor:

David J. Gibson

Inventor's signature:



Date:



Country of Citizenship:

Ireland

Residence:

19 Priory View, St. Raphaels Manor, Celbridge, Co. Kildare, Ireland


Post Office Address:

Same as Above

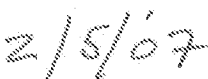
Full name of ~~second~~ inventor:

Geoffrey F. Seymour

Inventor's signature:



Date:



Country of Citizenship:

Ireland

Residence:

Sugar Loaf Farm, Kilmacanogue, Co. Wicklow, Ireland

Post Office Address:

Same as Above